

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

LA.App..No. 135 of 2004()

LAR.37/1998 of SUB COURT, PAYYANNUR

APPELLANT: PETITIONERS:

1. KOONICHIRA KUNHAMBU, (DIED)
KARIVELLOOR AMSOM, KANNUR DISTRICT.
2. CHORAKKATTU CHIYEYI, W/O. LATE
KOONICHIRA KUNHAMBU, AGED 60 YEARS,
KARIVELLUR AMSOM AND DESOM.
3. CHORAKKATTU SHAJAN, S/O. LATE KUNHAMBU,
AGED 45 YEARS, AGRICULTURIST, KARIVELLOOR.
4. CHORAKKATTU BALAN, S/O. LATE KUNHAMBU,
AGED 43 YEARS, AGRICULTURIST, KARIVELLUR.
5. CHORAKKATTU SURENDRAN,
S/O. LATE KUNHAMBU, AGED 41 YEARS,
AGRICULTURIST, KARIVELLUR.
6. CHORAKKATTU MANOHARAN, S/O. LATE
KUNHAMBU, AGED 36 YEARS, KARIVELLUR.
7. CHORAKKATTU MADHU, S/O. KUNHAMBU,
AGED 35 YEARS, KARIVELLUR.
8. CHORAKKATTU VALSAN, S/O. LATE KUNHAMBU
AGED 27 YEARS, KARIVELLUR.
9. CHORAKKATTU MOHANAN, S/O. LATE KUNHAMBU
AGED 24 YEARS, KARIVELLUR AMSOM AND DESOM,
SUPPL.2 TO 9 ARE IMPEADED AND AMENDED AS PER ORDER IN L.A
1024/2000 & I.A.1925/2000,
APPLS.2 TO 4 & 6 TO 9 ARE REP. BY THEIR POWER OF ATTORNEY
HOLDER SRI.CHORAKKATTU SURENDRAN,S/O. KUNHAMBU,
AGRICULTURIST, KARIVELLUR AMSOM & DESOM, KANNUR.

BY ADV. SRI.V.C.JAMES

RESPONDENTS: RESPONDENT:

1. THE SPECIAL TAHSILDAR (LA), NAVAL
ACADEMY, RAMANTHALI, KANNUR.
2. CHORAKKATTU MOHANAN,
S/O. LATE KUNHAMBU, KARIVELLUR.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.135 of 2004

Dated 25th October, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed by the claimants in LAR 37/98 on the file of the Sub Court, Payyannur. The acquisition is for the purpose of Ezhimala Naval Academy. It is seen that the reference court has fixed the land value at Rs.800/- per cent. Learned Government Pleader submits that such fixation has become final in many of the connected cases. That is not disputed also. However, learned counsel for the appellants submits that they have not been granted the statutory benefits. We make it clear that the appellants shall be entitled to the statutory benefits, in case they have not been granted the same. The judgment and decree will stand modified to the above extent.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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OP NO.

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**KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.**

L.A.A.135 OF 2004

J U D G M E N T

25th OCTOBER, 2007.